

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

22221/1070 (RU-339)

First Inventor

O'Donnell et al.

Title

AQUIFEX AEOLICUS DELTA PRIME  
POLYMERASE SUBUNIT AND USE  
THEREOF

Express Mail Label No. EL983811763US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 123 pages]  
(Preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications (if applicable)
  - Statement Regarding Fed sponsored R & D (if applicable)
  - Reference to sequence listing, a table, or a computer program listing appendix (if applicable)
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 82 sheets]
5. Oath or Declaration [Total Pages 12 pages]
  - a. ☐ Newly executed (original or copy)
  - b. ☐ Unsigned
  - c. ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
    - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☒ paper (167 pages)
  - c. ☒ Request for Transfer of Computer Readable Record and Statement in Accordance with 37 CFR 1.821(e)

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement [Power of Attorney]  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 [Copies of IDS Citations]
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

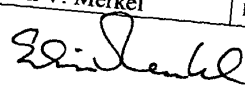
18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:
- ☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)
- Prior application information: Examiner: R. Hutson Group/Art Unit: 1652 of prior application No.: 09/716,964

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

☐ Customer Number or Bar Code Label

## 19. CORRESPONDENCE ADDRESS

or ☒ Correspondence address below

Name	Nixon Peabody LLP		
Address	Clinton Square, P.O. Box 31051		
City	Rochester		
Country	USA	State	NY
Name (Print/Type)	Edwin V. Merkel	Telephone	(585) 263-1128
Signature		Zip Code	14603-1051
	Registration No. (Attorney/Agent) 40,087	Fax	(585) 263-1600
	Date	September 26, 2003	

09/26/03

16538 U.S. P.O.

# FEE TRANSMITTAL FOR FY 2003

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

Complete if Known

Application Number	To be Assigned
Filing Date	Herewith
First Named Inventor	O'Donnell et al.
Examiner Name	R. Hutson
Art Unit	1652
Attorney Docket No.	22221/1070 (RU 339)

TOTAL AMOUNT OF PAYMENT

(\$ 750)

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number 14-1138

Deposit Account Name Nixon Peabody LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s)  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	750
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$ 750)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims 8 -20\*\* = 0 X Fee from below = 0  
 Independent Claims 1 -3\*\* = 0 X = 0  
 Multiple Dependent X = 0

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
1251	110	2251	55	Extension for reply within first month
1252	410	2252	205	Extension for reply within second month
1253	930	2253	465	Extension for reply within third month
1254	1,450	2254	725	Extension for reply within fourth month
1255	1,970	2255	985	Extension for reply within fifth month
1401	320	2401	160	Notice of Appeal
1402	320	2402	160	Filing a brief in support of an appeal
1403	280	2403	140	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	110	2452	55	Petition to revive - unavoidable
1453	1,300	2453	650	Petition to revive - unintentional
1501	1,300	2501	650	Utility issue fee (or reissue)
1502	470	2502	235	Design issue fee
1503	630	2503	315	Plant issue fee
1460	130	1460	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))
1801	750	2801	375	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0)

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop \_\_\_\_\_, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) \_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_

Typed or printed name \_\_\_\_\_

## SUBMITTED BY

Name (Print/Type)	Edwin V. Merkel	Registration No.	40,087	Complete (if applicable)	Telephone	(585) 263-1128
Signature	<i>Edwin V. Merkel</i>	(Attorney/Agent)		Date	September 26, 2003	

SEND TO: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**EXPRESS MAIL CERTIFICATE**

DOCKET NO.: **22221/1070 (RU 339)**

APPLICANTS: **Michael E. O'Donnell, Alexander Yuzhakov, Olga Yurieva,  
David Jeruzalmi, Irina Bruck, and John Kuriyan**

TITLE: **AQUIFEX AEOLICUS DELTA PRIME POLYMERASE  
SUBUNIT AND USE THEREOF**

Certificate is attached to the **Patent Application including specification, claims  
and abstract (123 pages)** of the above-named application.

EXPRESS MAIL NUMBER: **EL983811763US**

DATE OF DEPOSIT: **September 26, 2003**

I hereby certify that this paper or fee is being deposited with the United States  
Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on  
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for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Shawn A. Lockett  
(Typed or printed name of person mailing  
paper or fee)

  
(Signature of person mailing paper or fee)

**EXPRESS MAIL CERTIFICATE**

DOCKET NO.: 22221/1070 (RU 339)  
APPLICANTS: Michael E. O'Donnell, Alexander Yuzhakov, Olga Yurieva,  
David Jeruzalmi, Irina Bruck, and John Kuriyan  
TITLE: AQUIFEX AEOLICUS DELTA PRIME POLYMERASE  
SUBUNIT AND USE THEREOF

Certificate is attached to the **Utility Patent Application Transmittal Letter (1 page) (in duplicate) and Fee Transmittal (1 page) (in duplicate)** of the above-named application.

EXPRESS MAIL NUMBER: EL983811763US  
DATE OF DEPOSIT: September 26, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Shawn A. Lockett  
\_\_\_\_\_  
(Typed or printed name of person mailing  
paper or fee)

  
\_\_\_\_\_  
(Signature of person mailing paper or fee)

## EXPRESS MAIL CERTIFICATE

DOCKET NO.: 22221/1070 (RU 339)  
APPLICANTS: Michael E. O'Donnell, Alexander Yuzhakov, Olga Yurieva,  
David Jeruzalmi, Irina Bruck, and John Kuriyan  
TITLE: AQUIFEX AEOLICUS DELTA PRIME POLYMERASE  
SUBUNIT AND USE THEREOF

Certificate is attached to the copy of the **Drawings (82 sheets)** as filed in the prior application of the above-named application.

EXPRESS MAIL NUMBER: EL983811763US  
DATE OF DEPOSIT: September 26, 2003

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APPLICANTS: Michael E. O'Donnell, Alexander Yuzhakov, Olga Yurieva,  
David Jeruzalmi, Irina Bruck, and John Kuriyan  
TITLE: AQUIFEX AEOLICUS DELTA PRIME POLYMERASE  
SUBUNIT AND USE THEREOF

Certificate is attached to the copy of the **SIGNED Combined Declaration and Power of Attorney Form (12 pages)** as filed in the prior application of the above-named application.

EXPRESS MAIL NUMBER: EL983811763US  
DATE OF DEPOSIT: September 26, 2003

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Shawn A. Lockett  
(Typed or printed name of person mailing  
paper or fee)

  
(Signature of person mailing paper or fee)

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David Jeruzalmi, Irina Bruck, and John Kuriyan  
TITLE: AQUIFEX AEOLICUS DELTA PRIME POLYMERASE  
SUBUNIT AND USE THEREOF

Certificate is attached to the **Request for Transfer of Computer Readable Record and Statement in Accordance With 37 CFR 1.821(e) (1 page)** of the above-named application and a copy of the **Sequence Listing (167 pages)** as filed in the prior application of the above-name application.

EXPRESS MAIL NUMBER: EL983811763US  
DATE OF DEPOSIT: September 26, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Shawn A. Lockett  
\_\_\_\_\_  
(Typed or printed name of person mailing  
paper or fee)

  
\_\_\_\_\_  
(Signature of person mailing paper or fee)